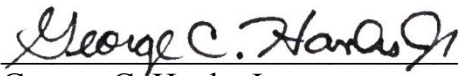


Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 29) be **APPROVED and ADOPTED** in its entirety as the holding of the Court; and
- (2) Devereux's Motion to Dismiss (Dkt. 23) be **DENIED in part and GRANTED in part**.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 7th day of May, 2019.



George C. Hanks Jr.
United States District Judge